

against his said property, and if the said owner is dissatisfied with the amount of the said charge he may give notice to the board of commissioners within ten days aforesaid that he takes an appeal to the next term of the Superior Court of Durham County, and shall, within five days thereafter, serve statement of facts upon which he bases his appeal. The said appeal shall at the said term of court be tried as other actions at law; and the said owner may in like time and manner appeal from any order or act of the board of commissioners made or done under this section, but said appeal shall not delay or stop the said improvements.

Cellars and cellar
entrances.

SEC. 88. That the board of commissioners of the city of Durham shall have power to prohibit cellars or entrances to cellars under the sidewalks of said city, or any obstruction upon the streets or sidewalks thereof.

CHAPTER XVII.

WATER AND LIGHT.

Light plant and
waterworks.

SEC. 89. That the city may own and maintain its own light and waterworks systems to furnish water for fire and other purposes, and light to the city and its citizens, but shall in no case be liable for damages for a failure to furnish a sufficient supply of either water or light.

Property for use
of water supply.

SEC. 90. That the board of commissioners shall have power to acquire and hold, in the name of the city, rights of way, water rights, and other property within and without the city limits, and the board of commissioners shall have power to condemn and take rights of way, easements, water rights, and other property within and without the corporate limits of the city for the purpose of getting, storing, maintaining, and furnishing a pure and adequate water supply and of furnishing lights for the city and its citizens. That the proceedings in said condemnation shall be the same as are herein provided for the condemnation of land for street purposes.

Procedure for
condemnation.

Supervision and
control of system.

SEC. 91. That the said board of commissioners shall have entire supervision and control of the maintenance, improvement, and management of the said systems, and shall fix such uniform rates for water as they think best. That said board of commissioners shall fix the time or times when said water rents shall become due and payable, and in case such rent is not paid within ten days after it becomes due, the same shall become a lien upon the property where said water is used and with which said water collections are made; and the same may at any time thereafter be collected, either by suit in the name of the city or by the collector of taxes for the city, by the sale of the property upon which said lien attaches at the courthouse door in the city of Durham, after advertising the same for thirty days in some newspaper published in the city of Durham; and the said sale is to be made under the

Rates.

Lien for charges.

Collection.